

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

RASHEIKA Q. REED, ET AL.

PLAINTIFFS

v.

No. 5:13cv37-KS-MTP

COOPER TIRE AND RUBBER CO., ET AL.

DEFENDANTS

consolidated with

SHENERIA L. REED, ET AL.

PLAINTIFFS

v.

No. 5:13cv38-DCB-MTP

COOPER TIRE AND RUBBER CO., ET AL.

DEFENDANTS

ORDER CONSOLIDATING CASES

THESE MATTERS are before the court on the Unopposed Motion [5] to Consolidate Cases filed by Defendant Cooper Tire & Rubber Company. Having considered the motion and the applicable law, the court finds that the motion should be granted.

Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the court may consolidate actions involving common questions of law or fact, especially when doing so will avoid unnecessary costs or delay or will eliminate unnecessary repetition or confusion. *Miller v. U.S. Postal Serv.*, 729 F.2d 1033, 1036 (5th Cir. 1984); *Mills v. Beech Aircraft Corp.*, 886 F.2d 758, 761-62 (5th Cir. 1989). “Consolidation does not so completely merge the two cases as to deprive a party of any substantial rights that he may have had if the actions had proceeded separately, for the two suits retain their separate identities and each requires the entry of a separate judgment.” *Miller*, 729 F.2d at 1036.

These matters arise out of the same automobile accident, involve the same allegations and claims against the same defendants, and involve common questions of law and fact. Plaintiffs do

not oppose the consolidation of these matters, and the court finds that consolidation of these cases will serve to reduce the costs and expenses of all parties. Accordingly, the motion should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED:

1. That the Unopposed Motion [5] to Consolidate Cases filed by Defendant Cooper Tire & Rubber Company is GRANTED.
2. These matters are hereby consolidated for all purposes, including trial. All future pleadings and filings shall be filed only in Cause No. 5:13cv37-KS-MTP.¹

SO ORDERED this 22nd day of March, 2013.

s/ Michael T. Parker

United States Magistrate Judge

¹See L.U.Civ.R. 42.